

PAUL J. RIEHLE (SBN 115199)
paul.riehle@faegredrinker.com
**FAEGRE DRINKER BIDDLE & REATH
LLP**

Four Embarcadero Center
San Francisco, CA 94111
Telephone: (415) 591-7500
Facsimile: (415) 591-7510

CHRISTINE A. VARNEY (*pro hac vice*)
cvarney@cravath.com
KATHERINE B. FORREST (*pro hac vice*)
kforrest@cravath.com
GARY A. BORNSTEIN (*pro hac vice*)
gbornstein@cravath.com
YONATAN EVEN (*pro hac vice*)
yeven@cravath.com
LAUREN A. MOSKOWITZ (*pro hac vice*)
lmoskowitz@cravath.com
JUSTIN C. CLARKE (*pro hac vice*)
jcclarke@cravath.com
M. BRENT BYARS (*pro hac vice*)
mbyars@cravath.com
CRAVATH, SWAINE & MOORE LLP
825 Eighth Avenue
New York, New York 10019
Telephone: (212) 474-1000
Facsimile: (212) 474-3700

*Attorneys for Plaintiff and Counterdefendant
Epic Games, Inc.*

[Additional counsel appear on signature
page]

THEODORE J. BOUTROUS JR. (SBN
132099)
tboutrous@gibsondunn.com
RICHARD J. DOREN (SBN 124666)
rdoren@gibsondunn.com
DANIEL G. SWANSON (SBN 116556)
dswanson@gibsondunn.com
JAY P. SRINIVASAN (SBN 181471)
jsrinivasan@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071-3197
Telephone: 213.229.7000
Facsimile: 213.229.7520

VERONICA S. MOYE (*pro hac vice*)
vlewis@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
2100 McKinney Avenue, Suite 1100
Dallas, TX 75201
Telephone: 214.698.3100
Facsimile: 214.571.2900

MARK A. PERRY, SBN 212532
mperry@gibsondunn.com
CYNTHIA E. RICHMAN (*pro hac vice*)
crichman@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5306
Telephone: 202.955.8500
Facsimile: 202.467.0539

*Attorneys for Defendant and
Counterclaimant Apple Inc.*

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPIC GAMES, INC.,

Plaintiff, Counter-
defendant

v.

APPLE INC.,

Defendant,
Counterclaimant.

Case No. 4:20-cv-05640-YGR-TSH

**STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING HEARING DATE FOR APPLE
INC.'S MOTION TO STAY THE
INJUNCTION PENDING APPEAL**

STIPULATION AND ~~PROPOSED~~ ORDER REGARDING HEARING DATE FOR APPLE'S
MOTION TO STAY THE INJUNCTION PENDING APPEAL

4:20-CV-05640-YGR-TSH

1 Pursuant to Civil Local Rule 6-2, Epic Games, Inc. (“Epic”) and Apple Inc. (“Apple”) by and
2 through their respective counsel hereby agree as follows:

3 WHEREAS, on September 10, 2021, the Court entered a permanent injunction ([Dkt. 813](#)) and
4 judgment ([Dkt. 814](#)) in this case;

5 WHEREAS, the injunction has an effective date of December 9, 2021;

6 WHEREAS, Epic noticed an appeal on September 12, 2021 ([Dkt. 816](#)) and Apple noticed an
7 appeal on October 8, 2021 ([Dkt. 820](#));

8 WHEREAS, on October 8, 2021, Apple filed a Motion for Stay of Injunction Pending Appeal
9 (“Motion to Stay”) ([Dkt. 821](#));

10 WHEREAS, pursuant to the Local Rules, Apple noticed the Motion to Stay for hearing on
11 November 16, 2021, with Epic’s opposition due October 22, 2021, and Apple’s reply due October 29,
12 2021;

13 WHEREAS, Apple requested to shorten the time for the hearing on Apple’s Motion to Stay,
14 and Epic does not object; and

15 WHEREAS, counsel for both parties are available for a November 9, 2021 hearing, a date on
16 which the Court will be conducting its weekly civil law and motion calendar;

17 THEREFORE, IT IS STIPULATED AND AGREED, subject to the Court’s approval, that
18 Apple’s Motion to Stay the Injunction Pending Appeal shall be heard on November 9, 2021, at 2:00
19 p.m. via the Zoom platform.

1 Dated: October 12, 2021

CRAVATH, SWAINE & MOORE LLP

Christine A. Varney (*pro hac vice*)

2 Katherine B. Forrest (*pro hac vice*)

3 Gary A. Bornstein (*pro hac vice*)

Yonatan Even (*pro hac vice*)

4 Lauren A. Moskowitz (*pro hac vice*)

Justin C. Clarke (*pro hac vice*)

5 M. Brent Byars (*pro hac vice*)

6 FAEGRE DRINKER RIDDLE & REATH
7 LLP

8 Paul J. Riehle

9 By: /s/ Gary A. Bornstein

Gary A. Bornstein

10 *Attorneys for Plaintiff and Counter-defendant*
11 *Epic Games, Inc.*

12 Dated: October 12, 2021

GIBSON, DUNN & CRUTCHER LLP

Theodore J. Boutrous Jr.

13 Richard J. Doren

14 Daniel G. Swanson

Jay P. Srinivasan

15 Mark A. Perry

Veronica S. Moye

16 Cynthia E. Richman

17 By: /s/ Mark A. Perry

Mark A. Perry

18 *Attorneys for Defendant and*
19 *Counterclaimant Apple Inc.*

PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, IT IS SO ORDERED.

Dated: November 2, 2021


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE